IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 282 OF 2004

M/s. Tulsidas V. Patel Pvt. Ltd. .. Petitioners

Vs.

State of Maharashtra & Ors. .. Respondents

A. N. Samant for Petitioner.

Mr. Y.S. Shinde, PP for State.

CORAM: S.K. SHAH, J.

DATE : 20th June, 2006.

P.C.

Learned counsel for the petitioners seeks liberty to withdraw the petition and file revision against the order of issue of process before the Sessions Court. The writ petition is allowed to be withdrawn with liberty to file the revision before the Sessions Court within six weeks from today. The revision if filed shall be decided by the Sessions Judge on merits. The petition is dismissed as withdrawn.

Learned counsel for the petitioners submit that the petitioner is unable to move out of the house because of renal failure since last 5 years. He therefore prays for cancellation of warrant. He submits that the application for cancellation of the warrant has been filed before the Magistrate and the Magistrate has stayed the execution of the warrant. Under the circumstances since the petitioner is unable to move out of the house the learned Magistrate if satisfied may grant exemption to the petitioner from personal appearance and may allow to appear through advocate if satisfied.

(S. K. SHAH, J)